

Appropriations and Financial Affairs

PUBLIC 513

**An Act To Make Supplemental Appropriations and Allocations
for the Expenditures of State Government and To Change
Certain Provisions of the Law Necessary for the Proper
Operations of State Government for the Fiscal Years Ending
June 30, 2004 and June 30, 2005**

LD 1828

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRANNIGAN	OTP-AM MAJ	H-642
CATHCART	OTP-AM MIN	H-658 BRANNIGAN
		H-661 BRANNIGAN
		S-371 CATHCART

Public Law 2003, chapter 513 does the following, summarized below by part and section.

<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
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A	A-1	Makes appropriations and allocations of funds.
B	B-1	Transfers \$28,885,017 in fiscal year 2003-04 from the Federal Fiscal Relief Funds Reserve account to the unappropriated surplus of the General Fund no later than June 30, 2004.
C	C-1	Extends the Dairy Stabilization Subsidy Program.
	C-2	Lapses \$290,064 in the Pollution Control Structures - Carrying Account to the General Fund no later than June 30, 2004.
	C-3	Transfers \$103,566 from the Maine Milk Pool, Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2004.
D	D-1	Lapses \$207,187 in the Division of Forest Protection, General Fund account in the Department of Conservation to the unappropriated surplus of the General Fund no later than June 30, 2004.
E	E-1	Establishes a limitation on reimbursement rates to medical service providers for services outside a Department of Corrections facility.
F	F-1	Lapses \$1,365,855 in the General Purpose Aid for Local Schools, General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.
G	G-1:G-3	Authorizes the Department of Human Services to adopt routine technical rules for the elderly low-cost drug program to maximize state savings from coordinating benefits with those provided under the federal Medicare Prescription Drug Improvement and Modernization Act of 2003.
H	H-1	Establishes a .74% tax on the net operating revenue of each hospital in the state.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	H-2	Adjusts appropriations and allocations to implement the hospital tax in fiscal year 2003-04 and restores funding for hospital rate reductions, pharmacy dispensing fees and revisions to the low-cost drugs for the elderly program that were to be reduced by rulemaking.
I	I-1	Increases by \$761,910 the amount of intergovernmental transfer funds that must be transferred from the City of Portland to the General Fund as undedicated revenue for fiscal year 2003-04.
	I-2	Authorizes the State Controller to accept fiscal year 2002-03 balances of \$569,000 returned by health care providers as General Fund unappropriated surplus in fiscal year 2003-04.
	I-3	Authorizes the State Controller to accept \$5,800,488 as General Fund unappropriated surplus balances in fiscal year 2003-04 representing the repayment of disproportionate share hospital payments in federal fiscal year 2001-02 from institutes for mental disease.
	I-4	Transfers \$3,691,639 from the Child Support Collections, Other Special Revenue Funds account in the Department of Human Services to the unappropriated surplus of the General Fund no later than June 30, 2004.
J	J-1	Authorizes the State Controller to transfer up to \$26,202,734 from the Profit and Loss Account of the General Fund to the General Fund TANF Reserve Account no later than June 30, 2004.
	J-2	Authorizes the State Controller to transfer \$6,929,748 from the General Fund TANF Reserve Account to the unappropriated surplus of the General Fund no later than June 30, 2004.
	J-3	Authorizes the State Controller to transfer \$19,272,986 from the General Fund TANF Reserve Account to the TANF Federal Block Grant Account no later than June 30, 2004.
	J-4	Authorizes the State Controller to transfer \$7,203,139 from the General Fund TANF Account to the General Fund TANF Reserve Account no later than June 30, 2004.
K	K-1	Transfers \$161,137 in fiscal year 2003-04 and \$121,118 in fiscal year 2004-05 from the State Fire Marshal's Office, Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2004 and June 30, 2005, respectively.
L	L-1	Lapses \$11,053 in the Bureau of Public Transportation, General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.
M	M-1	Directs the State Budget Officer to identify the General Fund savings related to the Department of Human Services/Department of Behavioral and Developmental Services merger and transfer those amounts by Financial Order.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	M-2	Authorizes available balances of appropriations in MaineCare General Fund accounts in fiscal years 2003-04 and 2004-05 be transferred between accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor.
	M-3	Authorizes transfers of appropriation and allocation balances in the Department of Human Services and the Department of Behavioral and Developmental Services between line categories and accounts to implement merger of the 2 departments.
N	N-1:N-4	Increases fees for a special marine resources license, the filing fee is increased from \$50 to \$100 and annual renewal fee is increased from \$25 to \$50; changes the fees for having multiple individuals on the special license; and establishes a civil violation for license violations. (See LD 1701.)
O	O-1	Authorizes the State Controller to transfer up to \$10,000,000 from the Retiree Health Insurance Fund to the unappropriated surplus of the General Fund no later than June 30, 2004. It also requires the State Controller to transfer \$10,000,000 plus interest from the General Fund to the Retiree Health Insurance Fund on or after July 1, 2005 as repayment.
P	P-1:P-3	Authorizes a prioritized series of transfers from the unappropriated surplus of the General Fund at the end of fiscal year 2003-04 to various programs within state government.
Q	Q-1	Amends the transfer of funds from the Occupational Safety Loan program account in the Finance Authority of Maine, authorized in PL 2003, c. 451, Pt. O, section 4, by increasing the transfer from \$401,209 to \$559,079, an increase of \$157,870 by June 30, 2004.
	Q-2	Authorizes the transfer of \$57,652 from the Occupational Safety Loan Fund, Other Special Revenue Funds account in the Department of Labor to the General Fund unappropriated surplus no later than June 30, 2004.
R	R-1	Deappropriates funds from the Department of Labor, Rehabilitation Services program.
S	S-1	Appropriates and allocates funds to the Department of Human Services and the Department of Behavioral and Developmental Services to support the cost of not adopting certain rules to limit MaineCare expenditures during fiscal year 2003-04; including changes affecting private nonmedical institutions, primary care case management fees for Rural Health Clinics (RHC) and Federally Qualified Health Centers (FQHC) hourly rates in the private duty nursing program, reimbursement reductions in the Mental Retardation Waiver program and other reimbursement reductions to certain MaineCare providers not affected by other rulemaking initiatives.
T	T-1	Lapses \$100,000 of the unencumbered balance forward in the Personal Services line category in the Legislative General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
U	U-1	Appropriates and allocates funds for the Department of Human Services to make payments of outstanding settlements owed to hospitals under the MaineCare program in the current state fiscal year, 2003-04.
V	V-1	Authorizes the State Controller to transfer \$1,000,000 from the Department of Conservation, Shore and Harbor Management Fund account to the unappropriated surplus of the General Fund by June 30, 2004.
W	W-1	Authorizes the Department of Human Services to adopt routine technical rules to implement incentive payments within existing resources to pharmacies.
X	X-1	Authorizes the Treasurer of State to transfer \$547,000 from the Unclaimed Property Fund to General Fund undedicated revenue. It also authorizes the Treasurer of State to sell MetLife stock and shares of mutual funds that were not planned for sale during this biennium.
Y	Y-1	Establishes a mechanism to account for departmental indirect cost allocation plan amounts as an approved use of revenue from the Fund for a Healthy Maine.
	Y-2	Authorizes certain revenue transfers from departmental program accounts back to the Fund for a Healthy Maine in fiscal year 2002-03 to reflect the actual transfers that occurred. It provides for the recognition of fiscal year 2001-02 expenditures that exceeded legislative authority.
	Y-3	Recognizes \$219,187 as an adjustment to the balance in the Fund for a Healthy Maine.
	Y-4	Provides an allocation from the Fund for a Healthy Maine in fiscal year 2003-04 to support a portion of the cost of not adopting rules to create 2 benefit levels in the low-cost drugs for the elderly program and not increasing the catastrophic cap to \$1,200 per benefit year.
Z	Z-1	Deappropriates Personal Services savings from Maine Revenue Services and the Salary Plan program in fiscal year 2003-04.
AA	AA-1	Deappropriates and deallocates funds from the Department of Human Services, Medical Care - Payments to Providers program.
BB	BB-1	Deallocates the \$75,000 of Highway Fund allocations to the Office of Program Evaluation and Government Accountability in fiscal year 2004-05.
CC	CC-1	Authorizes the Commissioner of Human Services to withhold a hospital's Medicaid payments, if that hospital is delinquent in paying the hospital tax established in Part H.
DD	DD-1	Deappropriates funds from several departments.

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PUBLIC 673

**An Act To Make Supplemental Appropriations and Allocations
for the Expenditures of State Government and To Change
Certain Provisions of the Law Necessary to the Proper
Operations of State Government for the Fiscal Years Ending
June 30, 2004 and June 30, 2005**

LD 1919

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRANNIGAN CATHCART	OTP-AM	H-904 H-932 BRANNIGAN H-935 BRANNIGAN H-937 BRANNIGAN H-958 BRANNIGAN H-964 BRANNIGAN H-965 BRANNIGAN S-518 YOUNGBLOOD S-543 CATHCART

Public Law 2003, chapter 673 does the following, summarized below by part and section.

<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
A	A-1	Part A makes appropriations and allocations of funds for various purposes.
B	B-1	Part B makes appropriations and allocations for approved reclassifications and range changes.
C	C 1:4	Authorizes the Commissioner of the Department of Administrative and Financial Services to appoint an Associate Commissioner, Administrative Services as a major policy influencing position.
	C-5	Amends the provisions of PL 2003, c.20 to clarify the lease-purchase language for Central Fleet Management to be applicable for each year of the biennium.
	C 6:7	Authorizes the State Budget Officer to transfer savings resulting from the Retirement Incentive Program from General Fund and Other Special Revenue Fund accounts to the General Fund Salary Plan account and from Highway Fund accounts to the Highway Fund Salary Plan account.
	C-8	Authorizes the State Controller to recover, through the state cost allocation program, \$915,640 associated with prior year payments by the General Fund to the Maine State Retirement System.
	C-9	Authorizes the State Controller to recover, through the state cost allocation program, \$170,000 in fiscal year 2004-05 associated with homeland security grant programs awarded to the Department of Defense, Veterans and Emergency Management.
	C-10	Authorizes the Bureau of General Services to use \$111,856 no longer required for the Thomaston State Prison Demolition project, for the Hazardous Material Abatement and Removal and Demolition of the State Armory in Caribou.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
D	D 1:9	Adopts pre-EGTRRA (Economic Growth and Tax Relief Reconciliation Act of 2001) federal law for the Maine estate tax for decedents dying after 2004. The bill does not address estates of decedents dying in 2010 when the federal estate tax is fully repealed (for that year only) along with the federal determination of the value of the estate, upon which Maine relies in its determination of the Maine estate tax.
E	E 1:3	Amends the minimum taxability threshold for nonresident taxpayers by reducing the number of days spent in Maine that triggers a nonresident income tax liability from 21 days to 11 days. The income threshold of \$6,000 is eliminated.
F	F 1:2	Disallows the use of Maine income tax credits against the Maine alternative minimum income tax for tax years beginning after 2003.
G	G 1:3	Establishes criteria to disqualify certain tax-motivated lease transactions from the high-technology investment tax credit beginning after 2003.
H	H-1	Lapses \$120,306 in the Pollution Control Structures General Fund account in the Department of Agriculture, Food and Rural Resources to the unappropriated surplus of the General Fund in fiscal year 2004-05.
	H-2	Appropriates \$36,000 in fiscal year 2004-05 to partially offset a statewide All Other deappropriation.
	H-3	Appropriates \$84,306 in fiscal year 2004-05 to establish one limited-period Nutrient Management Coordinator position to direct and further develop the Nutrient Management Program.
I	I 1:2	Amends the law to allow the Commissioner of the Department of Behavioral and Developmental Services to establish a retail store at the Riverview Psychiatric Center and establishes a non-lapsing dedicated account for store income and expenses.
J	J-1	Amends the law relating to the use of the Boating Facilities Fund in the Department of Conservation so that funds may be provided to state agencies.
	J-2	Transfers \$1,000,000 from the General Fund to the Shore and Harbor Management Fund to offset a transfer pursuant to PL 2003, c. 513, V-1.
	J-3	Authorizes the State Controller to transfer \$1,000,000 from the Boating Facilities Fund, Other Special Revenue Funds account in the Department of Conservation, to the unappropriated surplus of the General Fund by June 30, 2005.
	J-4	Authorizes the State Controller to transfer \$1,000,000 from the Shore and Harbor Management Fund, Other Special Revenue Fund account to the Boating Facilities Fund, Other Special Revenue Fund account in the Department of Conservation by June 30, 2005.
	J-5	Lapses \$,241 in the Division of Forest Fire Control, General Fund - carrying account in the Department of Conservation to the unappropriated surplus of the General Fund in fiscal year 2004-05.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
K	K 1:5	Provides that savings in health insurance costs related to hospital rate adjustments do not apply to fiscal year 2004-05 and makes the necessary offsets to statewide appropriations and allocations.
L	L-1	Authorizes the Department of Corrections to enter into a lease-purchase arrangement for the acquisition of energy-savings equipment.
M	M 1:9	Amends the laws related to the Department of Economic and Community Development to reorganize certain activities and to establish the Office of Innovation in the Department of Economic and Community Development and reallocates statutory provisions related to the State's science and technology plan and comprehensive research and development evaluation to that office. Also reallocates resources within the Department as part of a departmental reorganization.
N	N-1	Amends the statewide local share amount of the operating costs allocation for fiscal year 2004-05 for purposes of education funding.
	N-2	Establishes the maximum debt service limits for school construction for 2008 and 2009.
	N-3	Clarifies the lease purchase language for the replacement of Carpenter buses authorized by Resolve 2003, Chapter 92, Part B.
	N 4:18	Specifies the General Purpose Aid for Local Schools actual education certification and appropriation levels for fiscal year 2004-05 as required by the Maine Revised Statutes, Title 20-A, section 15605.
	N-19	Clarifies that the amounts available for distribution through General Purpose Aid for Local Schools includes \$5,050,000 of funds carried forward from fiscal year 2003-04.
	N-20	Appropriates an additional \$9,950,000 in fiscal year 2004-05 for General Purpose Aid for Local Schools in fiscal year 2004-05.
O	O-1	Authorizes encumbered balances for automating the Department of Inland Fisheries and Wildlife's licensing, registration and permitting processes that will lapse at the end of fiscal year 2003-04 to be transferred from the Carrying Balance account to the License and Registration account within the department to be used for the same purposes in fiscal year 2004-05.
P	P-1	Amends the law to authorize the Chief Justice to use General Fund appropriations to cover miscellaneous costs associated with the operation of the account of deposited cash bail.
	P-2	Authorizes the Chief Justice to use \$23,000 of current General Fund appropriations to cover a shortage in the Judicial Department bail account.
Q	Q 1:4	Repeals those provisions of law related to the Occupational Safety Loan Fund in the Department of Labor.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	Q-5	Amends the law to provide for transfers of payments of outstanding Occupational Safety Loan Fund loans from the Finance Authority of Maine to the Safety Education and Training Fund in the Department of Labor.
R	R-1	Increases the maximum borrowing capacity of the Maine Maritime Academy, from \$4,000,000 to \$10,000,000.
S	S 1:2	Moves the State Nuclear Safety Advisor position from the State Planning Office to the Office of the Public Advocate and makes related allocations.
T	T 1:2	Reenacts the Maine Computer Crimes Task Force retroactively to January 1, 2004.
U	U 1:2	Amends the law related to the Uniform Unclaimed Property Act to establish the definition of a store-value card and to mandate record keeping by sellers of store-value cards.
V	V 1:3,6	Authorizes the Department of Human Services and the Department of Behavioral and Developmental Services to establish separate categories of licensure for facilities providing private non-medical institutional services to MaineCare eligible individuals.
	V-4:V-5, V-7:V-24	Makes changes to the sales tax and municipal revenue sharing to account for the establishment of a "Service Provider Tax".
	V-25	Enacts a 5% tax, effective July 1, 2004, on the value of following services provided in this State: extended cable television services; fabrication services; video rentals; certain rentals of furniture and audio equipment; telecommunications services; installation, maintenance or repair of telecommunications equipment; and private non-medical institution services.
	V-26	Transfers \$105,000 between accounts to offset implementation costs associated with this Part.
	V-27	Authorizes Department of Human Services to implement rules retroactively to July 1, 2003 to address the recovery of return on equity for private non-medical institutions.
	V-28	Adjusts appropriations and allocations as a result of the implementation of the service provider tax imposed by this Part.
	V-29	Establishes effective dates and the timing of returns and payments.
W	W-1	Authorizes the Department of Human Services to collect fees for researching its files for child protective records, and providing child protective records to licensing agencies, employers, and other non-governmental persons. The department will establish the fee schedule by routine technical rule.

<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
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X	X-1	Authorizes the Department of Human Services to increase the maximum license fee for certain eating and lodging facilities -- from \$40 to \$100 for schools; from \$10 to \$60 for inspections of eating establishment in municipalities authorized by the department to conduct such inspections; from \$125 to \$150 for other licensed eating establishments; and from \$20 to \$35 to cover the costs of each additional inspection.
	X-2	Requires the Department of Human Services to issue a conditional license to a new applicant that does not meet the regulations. The current language requires the department to issue a conditional license to all applicants, even those that are renewing.
	X-3	Authorizes the Department of Human Services to increase fines and penalties for operating without a license.
	X-4	Increases the fee from \$10 to \$60 for eating establishments in municipalities that do their own inspections.
	X-5	Makes a technical correction.
	X-6	Directs the Department of Human Services to review municipalities that do their own inspections of eating and lodging facilities.
Y	Y 1:2	Authorizes the Department of Human Services to adopt rules providing that infants in families with income over 185% and children under 19 years of age in families with income over 150% and up to 200% of the nonfarm income official poverty line who meet the eligibility requirements of the Cub Care program are eligible to participate in Cub Care instead of Medicaid.
	Y-3	Delays for 3 months the effective date of MaineCare eligibility expansions authorized by the Dirigo Health legislation, PL 2003, c. 469.
Z	Z 1:5	Makes changes to the mandatory reporting requirements for abuse and neglect, consistent with changes recommended by the U.S. Department of Health and Human Services, Administration for Families and Children. It requires the Department of Human Services to collect and investigate all reports regarding infants born affected by substance abuse or after prenatal exposure to drugs, and to provide services to the child and family which address that set of circumstances.
AA	AA-1	Expands the time frame for an applicant to appeal a denial of a mass gathering permit.
	AA 2:3	Authorizes the department to require an application with a fee prior to reviewing and issuing a permit to any mass outdoor gathering, changes application and bonding procedures and increases fees.

<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
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BB	BB 1:2	Requires the State Controller to transfer monthly an amount equivalent to benefits certified under the Maine Residents Property Tax Program from General Fund undedicated revenue within the individual income tax category to the Circuit Breaker reserve. The State Tax Assessor is required to pay benefit amounts to approved applicants. No interest on payments may be allowed. Also eliminates funding to the Maine Residents Property Tax Program since it is being converted to an offset to the individual income tax line. In fiscal year 2004-05, the amount of the transfers is limited to the amounts that were appropriated in fiscal year 2004-05 for this program.
CC	CC 1:2	Requires that retail tobacco licenses be renewed annually, increases the fee and directs the revenue to the General Fund. Repeals language requiring the transfer of dedicated funds from the Department of Human Services to the Judicial Department.
DD	DD-1	Authorizes unencumbered balances of funds in the General Assistance program in the Department of Human Services to be carried forward each fiscal year to be used for the same purposes.
	DD-2	Amends the law to provide the Department of Human Services with access to information on real estate transfers for the purpose of determining financial eligibility for MaineCare services.
	DD-3	Authorizes the State Controller to accept fiscal year 2002-03 balances of \$177,232 returned by providers as General Fund unappropriated surplus in fiscal year 2004-05.
	DD-4	Authorizes the Department of Human Services to establish minimum record keeping requirements for agencies administering Temporary Assistance for Needy Families programs.
	DD-5	Specifies that \$1,100,000 of unencumbered balance forward in fiscal year 2003-04 in the State Supplement to Federal Supplemental Security Income General Fund account in the Department of Human Services lapses to the General Fund in fiscal year 2004-05.
EE	EE-1	Amends the law to allow for a partial transfer of funds from the General Fund to the Maine Clean Election Fund to occur on September 1, 2004. (See LD 1673)
FF	FF-1	Requires the Commissioner of Administrative and Financial Services to convene a working group to facilitate claims processing and reimbursement for medically necessary behavioral health services, including but not limited to, emergency and urgent care services. The working group must submit a report to legislative committees by January 15, 2005.
	FF-2	Deappropriates and deallocates funds associated with the mental health parity provisions.
GG	GG 1:3	Amends the law to allow fees from Borrow Pits and Mining to be deposited in the Maine Environmental Protection Fund (MEPF) consistent with the merger of the Borrow Pit Account into the MEPF Fund as a sub-account in Part A of the bill.

<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
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HH	HH 1:2, HH-5	Amends the definition of critical access hospital.
	HH-3	Amends the law to increase the tax on hospital net operating revenues to 2.23%
	HH-4	Amends the law to allow hospitals to pay the tax levied against them in two equal payments, one due in November of the state fiscal year and the other due in May.
	HH 6:7	Establishes contingency provisions for the hospital tax and hospital payments included in Part HH-8.
	HH-8	Allocates funds to increase MaineCare payments to hospitals in accordance with rules duly adopted by the Department of Human Services.
	HH-9	Deappropriates funds to be replaced by dedicated revenue from the hospital tax.
II	II-1	Lapses \$600,000 of interest earnings savings in the Debt Service - Government Facilities Authority, General Fund account to the unappropriated surplus of the General Fund by June 30, 2005.
JJ	JJ 1:6	Changes the rate structure for Maine alternative minimum tax from a flat rate (27%) applied to adjusted federal minimum tax to a graduated rate applied to Maine alternative minimum taxable income. The calculation maintains the exemption amounts provided by the Internal Revenue Code effective as of December 31, 2002.
KK	KK 1:3	Changes the calculation of the interest rate on unpaid taxes as well as refunds to the prime interest rate plus 3 percentage points, rather than the current formula of the prime rate plus 2 percentage points. This change is effective July 1, 2004.
LL	LL-1	Places the ACE Service Center under the direct authority of the Department of Environmental Protection.
	LL-2	Amends the law to increase the transfer from the Maine Environmental Protection Fund in the Department of Environmental Protection to the General Fund by \$2,500 in fiscal year 2004-05.
	LL-3	Repeals the provision of law authorizing a transfer from the State Revolving Fund account in the Department of Environmental Protection to the General Fund.
	LL-4	Requires that \$172,573 of the unencumbered balance forward in the Administrative Services Unit – ACE Cluster Other Special Revenue Funds account in the Department of Environmental Protection be transferred to the General Fund in fiscal year 2004-05.
	LL-5	Provides appropriations and allocations related to the reorganization of the ACE Service Center.

PART SECTION DESCRIPTION

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MM	MM 1:2	Authorizes the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to enter into an agreement with a multijurisdictional lottery association to operate, market and promote a joint lottery or lottery games and provides related allocations. (See LD 1536)
NN	NN-1	Amends the definition of personal care agency to include individuals who hire unlicensed assistance personnel for their own care when permitted by rule of the Department of Human Services.
OO	OO 1:2	Directs the State Budget Officer to calculate savings as a result of increased efforts in pursuing federal and commercial reimbursement of state-funded programs, improved eligibility verification and procedures and other data integration improvements to state funded services. Deappropriates \$2,500,000 from the General Fund and allocates \$2,500,000 Other Special Revenue Funds to reflect those savings and increased reimbursement from federal and commercial sources.
PP	PP-1	Requires the State Controller to transfer \$1,043,460 from the Emergency Services Communications, Other Special Revenue Funds account in the Public Utilities Commission to the unappropriated surplus of the General Fund by June 30, 2005.
QQ	QQ-1	Amends the law to allow the program to pay expenses of members of the Advisory Committee on Family Development Accounts who represent account holders, who must be individuals whose income is below 200% of the nonfarm income official poverty line.
	QQ 2:3	Amends the law to delete the sunset on the provision which allows an institution to apply a Maine State Grant to reduce institutional or other grant aid if the institution grants the institutional or grant aid to a student with demonstrated financial need.
RR	RR-1	Requires the State Budget Officer to calculate the amount of savings in each General Fund account from information technology savings achieved by extending the use of personal computers and peripheral devices to a minimum of 4 years before replacement.
	RR-2	Requires that exceptions to the replacement schedule must be approved by the Chief Information Officer.
	RR-3	Deappropriates \$500,000 in fiscal year 2004-05 associated with savings achieved from extending the used of personal computers and peripheral devices to a minimum of 4 years before replacement.
SS	SS-1	Authorizes the Department of Transportation to sell the Payne Road Bridge in Scarborough to the Maine Turnpike Authority for \$5,000,000.
	SS-2	Authorizes the State Controller to transfer \$5,000,000 from the unallocated surplus of the Highway Fund to the unappropriated surplus of the General Fund at the close of fiscal year 2004-05.

PART SECTION DESCRIPTION

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SS-3		Requires the transfer of the Transportation Building from the Bureau of General Services within the Department of Administrative and Financial Services to the Department of Transportation.
SS-4		Directs the Commissioner of Administrative and Financial Services and the Commissioner of the Department of Transportation to determine the scope of services and responsibilities of each Department and to report to the Joint Standing Committees of the Legislature for Appropriations and Financial Affairs, Transportation, and State and Local Government by January 30, 2005 with respect to the management and oversight of the Transportation Building Property.
SS-5		Directs the Commissioner of Administrative and Financial Services and the Commissioner of the Department of Transportation to present any necessary budget adjustments related to the management and operation of the Transportation Building Property to the next regular session of the Legislature.
SS-6		Authorizes the State Controller to transfer \$6,400,000 from the unallocated surplus of the Highway Fund to the unappropriated surplus of the General Fund at the close of fiscal year 2004-05.
TT	TT 1:2	Increases the surcharge on every fine, forfeiture or penalty imposed by State courts and deposits the monies generated by that increase to the General Fund.
	TT 3:7	Increases fines for suspensions related to operating under the influence offenses, operating after suspension and operating after revocation of license.
UU	UU-1	Amends the law to provide for repayment of funds to the Retiree Health Insurance Fund on or after August 1, 2004.
	UU-2	Requires the Department of Administration and Financial Services to manage the Retiree Health Insurance Fund on a cost reimbursement basis of funding and accounting beginning June 30, 2005.
	UU-3	Requires the Department of Administrative and Financial Services to calculate and return the amount of the excess equity to each participating fund and ancillary group contributing to the Retiree Health Insurance Fund in fiscal year 2004-05, after retaining a reasonable amount of working capital.
	UU-4	Provides an appropriation of \$1,100,000 to distribute funds to the Maine Community College System as a result of the divestiture of the Retiree Health Insurance Fund.
VV	VV-1	Authorizes the Department of Public Safety to establish two State Police Sergeant project positions to be temporarily assigned to the Criminal Justice Academy for each training class.
<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
WW	WW 1:5	Amends provisions of Maine Revised Statutes Title 26 to reflect that the Medicaid portion of the consumer-directed personal care assistance services are to be administered by the Department of Human Services and to specify the responsibilities of that Department and the Department of Labor.

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WW-6		Transfers funds from the Department of Labor's Rehabilitation Services - Medicaid program to the Medical Care - Payments to Providers program within the Department of Human Services in FY 2004-05.
XX	XX-1	Repeals a requirement for an annual report to the Appropriations Committee regarding positions vacant for more than 6 months.
YY	YY-1	Prohibits hospital-based physician practices that bill as "hospital services" provided to MaineCare patients from discontinuing acceptance of new MaineCare patients or limiting services to MaineCare patients in a way that differs from policies that apply to other patients funded from any other payment source.
ZZ	ZZ-1	Adds the Long Term Care Ombudsman Program and Legal Services for the Elderly to the agencies receiving federal Administration on Aging funds that may carry funds forward for the purposes of those programs.
AAA	AAA-1:3, AAA 5:6	Amends language related to sales tax registration certificates to provide enhanced enforcement of resale certificate eligibility for applications filed on or after July 1, 2004 or the effective date of this Act, whichever is later.
	AAA-4	Amends PL 2003, c. 20 as it relates to positions established in Maine Revenue Services removing the stipulation that they are limited period positions.
	AAA-7	Appropriates funds for tax enforcement initiatives.
BBB	BBB-1	Authorizes payment to be made to those employees who were denied merit increases in fiscal year 2003-04.
	BBB-2	Authorizes payment to be made to those Institutional Services employees who would have been eligible to receive a step increase from Step 6 to Step 7 during the period July 1, 2003 to June 30, 2004.
	BBB-3	Provides \$250,000 to the Salary Plan for the step increases authorized in section 2 of this Part.
CCC	CCC-1	Provides for the calculation and transfer of statewide savings in the General Fund related to the cost of health insurance for fiscal year 2004-05.
	CCC-2	Deappropriates \$400,000 in fiscal year 2004-05 as a result of health insurance savings.
DDD	DDD-1	Provides for the calculation and transfer of statewide savings in the General Fund in the cost of workers' compensation claims for fiscal year 2004-05.
<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	DDD-2	Deappropriates \$426,925 in fiscal year 2004-05 as a result of savings in workers' compensation claims.

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EEE	EEE-1	Provides for the calculation and transfer of statewide savings in the General Fund from projected savings in electricity costs for fiscal year 2004-05
	EEE-2	Deappropriates \$750,000 in fiscal year 2004-05 as a result of projected savings in electricity costs.
FFF	FFF 1:2	Amends the required practices of pharmacy benefits managers by deleting authority to substitute lower-priced and therapeutically equivalent drugs and changing the procedures for substituting higher-priced substitute drugs and transferring payments received by the pharmacy benefits manager as a result of substitution of drugs.
	FFF-3	Amends the law to add a pharmacy's status as independent provider to the criteria for awarding incentive payments to pharmacies.
	FFF-4	Requires the MaineCare Advisory Committee to establish a standing subcommittee to review the prior authorization process used in the MaineCare and Drugs for the Elderly benefit programs.
	FFF-5	Makes appropriations and deappropriations as a result of the collection of settlement proceeds; increased administrative costs of stricter prior authorization and pharmacist support; review of pharmacy use in restrictive settings; stricter prior authorization criteria; implementing a voluntary pharmacy mail order program and making incentive payments to pharmacies to mitigate its impact; and the creation of a preferred drug list for the DEL program.
GGG	GGG 1:2	Establishes Maine Ground fish Fund to support the ground fish industry to be administered by the Commissioner of Marine Resources.
HHH	HHH-1	Moves \$315,000 from the Maine Microenterprise Initiative Fund to the Administration - Economic and Community Development program in fiscal year 2004-05 to provide one-time funding to match the National Aeronautics and Space Administration's EPSCoR award to the Maine Space Grant Consortium. (See LD 167)
III	III 1:2	Eliminates 31 positions as a result of the merger of the Department of Human Services and the Department of Behavioral and Developmental Services.
JJJ	JJJ 1:5	Eliminates the Northern Androscoggin Division of the Eleventh District Court in Livermore Falls and transfers that jurisdiction to the Eighth District.
KKK	KKK 1:2	Transfers funds appropriated to the Educational and General Activities - UMS program for fiscal year 2004-05 for the Maine Economic Improvement Fund in Public Law 2003, c. 20, Part RR to the Maine Economic Improvement Fund program within the University of Maine System.

<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
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MMM	MMM 1:4	Establishes the MaineCare Basic program to deliver medically necessary health care services to adult members of the MaineCare program; establishes limits on certain benefits and services for adults; establishes savings targets for these benefits and services; appropriates funds to administer the program; and deappropriates funds to reflect reductions in estimated MaineCare spending as a result of the program.
LLL	LLL 1:4	Adds the Maine Endangered and Nongame Wildlife Fund in the Department of Inland Fisheries and Wildlife to the list of accounts that are not included in transfers of savings to the General Fund in fiscal year 2004-05 and transfers \$30,536 in fiscal year 2004-05 from the General Fund to the Maine Endangered and Nongame Wildlife Fund to reverse the transfer that occurred in fiscal year 2003-04.
NNN	NNN 1:3	Requires the Attorney General to study discrimination against homeless individuals and report the results of the study and any necessary legislation to the Legislature by January 5, 2005.
OOO	OOO-1	Provides that the cap on reimbursement for certain mental health services may not be set below the median rate necessary to achieve the savings identified in this Act.
	OOO-2	Requires the establishment of an advisory working group to examine and make recommendations regarding methods of achieving savings in mental health costs.
PPP	PPP-1	Lapses \$2,400,000 in the Education in the Unorganized Territory General Fund account in the Department of Education to the General Fund in fiscal year 2004-05.
QQQ	QQQ 1:2	Authorizes the Executive Director of the Legislative Council to sell, in accordance with Legislative Council procedures, unneeded legislative equipment and materials and directs proceeds from the sale to the legislative account.
	QQQ-3	Appropriates funds to cover the expenses of 3 Maine commissioners to attend the annual conference of the Commission on Uniform State Laws and for a portion of the dues of that organization.
RRR	RRR 1:3	Increases the filing fee for registration statements for securities offered for sale from \$500 to \$1,000 effective August 1, 2004.
SSS	SSS 1:3	Requires the Department of Behavioral and Developmental Services to adopt rules to require service providers to charge fees for certain services for children and families funded by grant programs from the department.
	SSS-4	Appropriates \$1,250,000 in fiscal year 2004-05 for the Mental Health Services -- Children program for room and board, flexibility funds and training to partially offset other decreases in funding.
TTT	TTT 1:3	Repeals recently enacted changes, restores the schedule of premiums for the Cub Care program that is scheduled to expire on July 1, 2004 and directs the Department of Human Services to evaluate premiums periodically.

PART SECTION DESCRIPTION

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TTT-4		Makes appropriations and allocations to reflect the changes in Cub Care premiums and to partially restore funding for adult transportation under the MaineCare program.
UUU	UUU-1	Requires that the information shared by the Finance Authority of Maine to the Department of Human Services to be used to determine which Maine State Grant Program recipients are also eligible for TANF job preparation funds or to participate in the Parents as Scholars Program is confidential.
	UUU-2	Deappropriates \$183,250 in fiscal year 2004-05 only that will be paid from TANF block grant funds to provide preparation funds for Parents as Scholars participants.
VVV	VVV-1	Requires the Department of Corrections to report monthly to the legislative committees with jurisdiction over appropriations and financial affairs and criminal justice on the status of the state prisoner and probation population and the staffing necessary to provide adequate supervision.
WWW	WWW 1:37	Increases fees for various business entity filings with the Secretary of State.
XXX	XXX 1:10	Increases fees for various annual report filings with the Secretary of State.
YYY	YYY-1	Establishes standards for determination of whether a business entity with a debt owed to the Department of Human Services is considered out of business.
ZZZ	ZZZ-1	Requires State Controller to transfer \$500,000 from the Office of Information Services Fund account in the Department of Administrative and Financial Affairs to the unappropriated surplus of the General Fund by June 30, 2005.
	ZZZ-2	Requires State Controller to transfer \$93,551 from the A & C Audit Recovery, Other Special Revenue Fund account in the Department of Administrative and Financial Affairs to the unappropriated surplus of the General Fund by June 30, 2005.
AAAA	AAAA-1	Establishes one limited-period Senior Planner position at the Atlantic Salmon Commission in FY 2004-05 and FY 2005-06 funded with federal funds.
BBBB	BBBB 1:2	Provides that a statement of intent for compensation must be filed by a former student of the Maine School for the Deaf or the Governor Baxter School for the Deaf and that an estate is not eligible to submit a statement of intent. If a claimant dies before compensation is paid, the compensation is payable to the estate of the claimant.
	BBBB 3:4	Creates a process by which the Maine Enterprise Initiative Fund within the Department of Economic and Community Development would receive funding, if there is sufficient unappropriated surplus remaining after all other required deductions and transfers at the close of fiscal year 2004-05.
<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
CCCC	CCCC-1	Transfers \$104,357 from the Natural Disaster Business Assistance Fund in the Finance Authority of Maine to the General Fund as undedicated revenue no later than

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June 30, 2005.

CCCC-2		Appropriates \$87,000 in fiscal year 2004-05 to Adult Education. (See LD 194)
DDDD	DDDD-1	<p>Classifies certain aspects of the State's group health plan for retired state employees as "solemn contractual commitments," under conditions set forth in this Part. The commitment is made to state employees who are eligible for membership in the Maine State Retirement System, the Maine Legislative Retirement System or the State Police Retirement System and to employees of the Maine Turnpike Authority, the Maine Community College System and the Maine State Retirement System.</p> <p>This Part provides that the eligibility criteria for health plan coverage as a retiree or a family member of a retiree may not be more stringent than the criteria that existed at the time the employee became vested, which for most state employees is after 5 years of creditable service. It also provides that the State contribution percentage toward the premium cost for retirees may not be less than at the time the employee became vested. Finally, it provides that retirees will continue to be eligible to participate in the same group health plans as active employees, or substantially similar plans. The State Employee Health Commission will determine whether plans are substantially similar. In determining whether the plan offered to Medicare-eligible retirees is substantially similar to that offered to active employees, the Commission will look at the combination of Medicare or successor federal plan benefits and benefits included in any supplemental plan provided by the State.</p>
EEEE	EEEE-1	Clarifies the intent of the use of the \$3,000,000 portion of the transportation bonds proceeds of Private and Special Law 2003, chapter 33. The Department of Public Safety is required to award grants of \$3,000,000 to expand existing air-medical response system throughout the state, up to \$400,000 of these grants must be for the costs of acquisition of a mobile advance human patient simulator mannequin system of grants.
FFFF	FFFF-1	Appropriates \$32,000 in fiscal year 2004-05 to the Magnet Schools program and deappropriates the same amount from General Purpose Aid for Local Schools.
GGGG	GGGG 1:9	Amends the statutes governing the Office of Program Evaluation and Government Accountability (OPEGA) to authorize the legislative oversight committee to direct OPEGA to conduct evaluations of local government, quasi-municipal entities and municipal or nonprofit corporations when determined necessary by the committee and to examine expenditures of private money by public officials or employees. It also removes language concerning the Department of Audit that defines program evaluation and instead enacts language that gives the committee the discretion to request the department to conduct an examination or, if the department is unable to perform the examination in a timely manner, to direct OPEGA to obtain the services of an auditor. It also clarifies the status of information provided to OPEGA and requires the director and the employees of OPEGA to be nonpartisan.
<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
HHHH	HHHH-1	Requires the Treasurer of State to structure the June 2004 bond issue to be paid in semiannual installments of principal and interest over a period of no more than 9

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years with the first annual installment due on or after January 1, 2005.

HHHH-2 Recognizes the General Fund and Highway Fund debt service savings from the restructuring of the June 2004 bond issue and appropriates \$6,000,000 in fiscal year 2004-05 to the Baxter Compensation Authority. (See LD 1682)

III III-1 Directs the Public Utilities Commission, when determining the level of financial assistance to be provided from the Maine Telecommunications Education Access Fund to qualifying libraries, to mitigate the impact of lost federal funding in those cases in which libraries have determined they could not meet conditions for receiving the federal funding without substantially compromising their standards or missions.

PUBLIC 701 An Act To Provide Funding for the Maine-Canada Trade Ombudsman LD 634

<u>Sponsor(s)</u> SHERMAN STANLEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-722 H-980 BRANNIGAN
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Public Law 2003, chapter 701 provides funding for the Office of the Maine-Canada Trade Ombudsman, an office created in Public Law 2001, chapter 643. The duties of the ombudsman are to act as the Maine representative for relations with Canada to ensure the coordination of state policy when dealing with Canada and to work with businesses and individuals to investigate and work toward resolution of complaints that arise concerning trade issues. Funding was originally provided in chapter 643, but was deappropriated in Public Law 2001, chapter 714, Part B.

PUBLIC 710 An Act To Promote Economic Growth by Retaining Engineers in Maine LD 993

<u>Sponsor(s)</u> CATHCART	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> S-553
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Public Law 2003, chapter 710 establishes the Maine Engineers Recruitment and Retention Program to provide financial assistance and incentives to any graduate of a college of engineering within the University of Maine System and is employed in an engineering position in the State. The program provides loan repayment to up to 10 eligible engineers working in Maine businesses. The employers who apply for the loan repayment funds must match all funds received by their employees. The program is administered by the Finance Authority of Maine with assistance in determining recipients from an advisory committee.

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P & S 49 **An Act To Support the Kennebec-Chaudiere International Corridor** **LD 1149**

Sponsor(s)	Committee Report	Amendments Adopted
DAGGETT	OTP-AM MAJ	S-391
COLWELL	ONTP MIN	S-591 CATHCART

Private and Special 2003, chapter 49 provides on-going funds beginning in fiscal year 2004-05 for publicity, signs, kiosks, brochures and other materials and services associated with promoting the Kennebec-Chaudiere International Corridor.

P & S 50 **An Act To Support the New Century Community Program** **LD 1787**

Sponsor(s)	Committee Report	Amendments Adopted
BRUNO	OTP	S-594 CATHCART
ROTUNDO		

Private and Special 2003, chapter 50 provides \$100,000 to the New Century Community Program. The goals of the program are to strengthen local cultural resources, including community arts activities, humanities programs and historic preservation activities; provide educational services beyond the reach of the standard educational system; and preserve both the State's material culture and its built environment through grants for preservation and restoration.

P & S 51 **An Act To Appropriate Funds for World War II and Korean War Memorial Plaques in the Hall of Flags** **LD 1841**

Sponsor(s)	Committee Report	Amendments Adopted
MCGLOCKLIN	OTP	S-597 CATHCART
GAGNON		

Public Law 2003, chapter 51 provides \$20,000 World War II and Korean War memorial plaques in the Hall of Flags.

P & S 52 **An Act To Appropriate Funds to the Maine Potato Board for** **LD 1937**

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EMERGENCY the Purchase of Potatoes in Need of Disposal Due to Weather Conditions during the Harvest in 2003

Sponsor(s) MARTIN	Committee Report	Amendments Adopted
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Private and Special 2003, chapter 52 appropriates \$750,000 to the Maine Potato Board to purchase from farmers table stock potatoes that are rotting due to poor weather during the harvest in 2003 and are in need of disposal at the rate of \$1.50 per hundredweight.

Private and Special 2003, chapter 52 was enacted as an emergency measure and took effect May 11, 2004.

P & S 53 An Act To Support the Regional Library System LD 279

<u>Sponsor(s)</u> BLANCHETTE	<u>Committee Report</u>	<u>Amendments Adopted</u> H-703 S-590 CATHCART
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Private and Special 2003, chapter 53 appropriates \$100,000 in fiscal year 2004-05 to offset increasing costs at the area reference and resource centers for the provision of Regional Library System activities.

RESOLVE 145 Resolve, To Renew the Veterans' Emergency Assistance Program LD 1021

<u>Sponsor(s)</u> DOUGLASS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-600 CATHCART
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Resolve 2003, chapter 145 appropriates \$50,000 from the General Fund in fiscal year 2004-05 for the administration of the veterans' emergency assistance.

RESOLVE 147 Resolve, to Fund Scholarships to the Seeds of Peace Camp LD 47

<u>Sponsor(s)</u> HEIDRICH BENNETT, R	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-704 S-589 BENNETT, R
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Resolve 2003, chapter 147 provides for up to \$25,000 in the State Contingent Account specified to be used for emergencies to be used to support scholarships for the Seeds of Peace International Camp in the Town of Otisfield in fiscal year 2004-05 only.